

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In Re:	:	Bankruptcy No. 25-10680-DJB
James J. Dunn	:	Chapter 13
<i>Debtor</i>	:	
	:	
The Bank Of New York Mellon fka The Bank Of	:	
New York as successor in interest to JP Morgan	:	
Chase Bank, N.A., as Trustee for Centex Home	:	
Equity Loan Trust 2005-B	:	
	:	
<i>Movant</i>	:	
vs.	:	
James J. Dunn	:	
<i>Debtor/Respondent</i>	:	
and	:	
Kenneth E. West, Esquire	:	
<i>Trustee/Respondent</i>	:	

OBJECTION TO CONFIRMATION OF THE PLAN

The Bank Of New York Mellon fka The Bank Of New York as successor in interest to JP Morgan Chase Bank, N.A., as Trustee for Centex Home Equity Loan Trust 2005-B (“Movant”), by its attorneys, Hladik, Onorato & Federman, LLP, objects to confirmation of the Chapter 13 Plan of Debtor, James J. Dunn (“Debtor”), as follows:

1. As of the bankruptcy filing date of February 20, 2025, Movant holds a secured Claim against the Debtor’s property located at 249 Andover Road, Fairless Hills, PA 19030.
2. Movant is in the process of filing a Proof of Claim by the 05/01/2025 bar date, with an estimated secured claim in the amount of \$98,151.63, and estimated pre-petition arrears in the amount of \$413,023.53.
3. The Plan currently proposes payment to Movant in the amount of \$96,754.00 for pre-petition arrears.
4. The Plan fails to cure the delinquency pursuant to 11 U.S.C. § 1322(b)(5).
5. The Plan violates of 11 USC § 1325(a)(5)(B)(ii) by not providing for Movant to receive the full value of its claim.

6. Movant objects to the feasibility of the Plan under 11 U.S.C. § 1325(a)(6). The Plan proposed by Debtor is not feasible. Movant requests that the bankruptcy case either be converted to a Chapter 7 or be dismissed pursuant to 11 U.S.C. § 1307.

WHEREFORE, Movant respectfully requests that this Honorable Court deny confirmation of the Debtor's Chapter 13 Plan.

Respectfully submitted,

Dated: 03/25/2025

/s/Danielle Boyle-Ebersole
Danielle Boyle-Ebersole, Esquire
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<i>Movant</i>	:
vs.	:
James J. Dunn	:
<i>Debtor/Respondent</i>	:
and	:
Kenneth E. West, Esquire	:
<i>Trustee/Respondent</i>	:

**CERTIFICATE OF MAILING OF OBJECTION TO THE PROPOSED
PLAN TO PARTIES IN INTEREST**

I, Danielle Boyle-Ebersole, Esquire, attorney for The Bank Of New York Mellon fka The Bank Of New York as successor in interest to JP Morgan Chase Bank, N.A., as Trustee for Centex Home Equity Loan Trust 2005-B (“Movant”), certify that I served a copy of the attached Objection to the Plan to the parties below on 03/25/2025:

Michael Cibik, Esquire
Via Electronic Filing
Attorney for Debtor

Kenneth E. West, Esquire
Via Electronic Filing
Trustee

James J. Dunn
249 Andover Road
Fairless Hills, PA 19030
Via First Class Mail
Debtor

Respectfully Submitted,

Date: 03/25/2025

/s/Danielle Boyle-Ebersole
Danielle Boyle-Ebersole, Esquire
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